



Project No.	<u>Zone Change 2003Z-147U-05</u>
Associated Case	None
Council Bill	None
Council District	8 – Hart
School District	5 - Hunt
Requested by	Robert W. Rutherford, applicant, for Phillip-Robinson Company, owner
Deferral	Deferred from the January 8, 2004, Commission meeting
Staff Reviewer	Harris
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Rezone 0.58 acres from residential (R6) to residential multi-family (RM6) district property at 1017 and 1021 Spain Avenue, approximately 250 feet west of Gallatin Pike.

Existing Zoning
R6 district

R6 requires a minimum 6,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 7.72 dwelling units per acre including 25% duplex lots. R6 zoning allows a total of 4 lots, or 5 units on this site including 25% duplex lots.

Proposed Zoning
RM6 district

RM6 is intended for single-family, duplex, and multi-family dwellings at a density of 6 dwelling units per acre. RM6 allows a total of 3 units on this site.

SUBAREA 5 PLAN POLICY

Residential Medium (RM)

RM policy is intended to accommodate residential development within a density range of four to nine dwelling units per acre. A variety of housing types are appropriate. The most common types include compact, single-family detached units, town-homes, and walk-up apartments.

Policy Conflict

No. The proposed zoning district is consistent with the Subarea 5 Plan’s Residential Medium policy. This rezoning would serve as a transition from the commercial and office uses to the south along Gallatin Pike and the residential zoning along Spain Avenue. Staff recommends that neither multi-family nor commercial zoning extend further than this property into the existing residential area. Further extension of



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multi-family or commercial zoning into the residential neighborhoods also may not be warranted in other locations along Gallatin Pike.

RECENT REZONINGS

Yes. A portion of parcel 95 to the south and parcel 84 adjacent to the property were rezoned from OP to OR20 in the county-wide zoning update in 1998. Parcel 085 was presented to the Planning Commission in August 1998, for a zone change from R6 to OR20. The Planning Commission recommended disapproval and the bill was withdrawn at Council.

TRAFFIC

Based on the trip generation numbers for residential multi-family (RM6), this proposal is expected to generate approximately 12 to 20 daily vehicular trips for elderly housing or residential condominium/townhome uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendations

There is a reduction in the number of dwelling units per acre with this zone change. In addition, the acreage is small.

“No Exception Taken.”

METRO NASHVILLE PUBLIC SCHOOLS REPORT

Schools (Projected New Students)

1 Elementary <1 Middle <1 High

Schools Over/Under Capacity

Students would attend Hattie Cotton Elementary, Gra-Mar Middle School and Maplewood High School. Hattie Cotton and Gra-mar have been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated May 2003.

Planned School Capital Improvements:

Location	Project	Projected Date
Maplewood High School	Renovation	FY05-06



Project No.
Project Name
Associated Case
Council Bill
Council District
School Board District
Requested By

Planned Unit Development 98P-007U-12
Seven Springs PUD Condos
None
None
31 – Toler
2 – Blue
Barge Cauthen & Associates, Inc., applicant, for
Vastland Development Partnership, owner

Staff Reviewer
Staff Recommendation

Mitchell
*Approve with conditions, including those previously
approved by Metro Council.*

APPLICANT REQUEST
Amend Preliminary PUD

Request for an amendment to the Seven Springs preliminary Planned Unit Development to allow for the development of 144 condominiums, in two buildings, replacing 222 independent living apartments and 48 assisted living apartments. The PUD is located along the north side of Old Hickory Boulevard, across from the terminus of Cloverland Drive. The area to be amended includes 8.27 acres.

ZONING
OR40 Zoning

OR40 (Office/Residential) zoning district is intended for office and/or multi-family residential units at up to 40 dwelling units per acre. This development proposes a density of 17 condominiums per acre – well below the maximum of 40.

PLAN DETAILS

The plan proposes two new buildings, each containing 72 units and 4 stories in height. The total floor area proposed for both buildings is 344,000 square feet. This change to the PUD must be approved by Metro Council as an amendment because the proposed 4-story height exceeds the height controls established by the Council-approved plan, which set maximum heights along the eastern property line at specified setbacks for the independent and assisted living facilities.

The Council-approved plan established that, along the eastern property line, a 3-story building could be constructed at the 150-foot setback line and that a 4-story building could be built at the 200-foot setback line. Although the Council added those setbacks as a



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condition, the proposed plan meets the Zoning Code requirement of maximum 45 feet in height at the setback line (20 feet) with a 2:1 inward slope. The plan does not comply with the conditions previously approved by Council. The plan proposes that both buildings will be placed 135 feet from the east property line. Staff recommends approval of the new setbacks in the proposed plan. All other supplemental conditions added as part of the Council-approved plan should be carried over to this plan – such as additional screening and buffering required along the east property line adjacent to the Hearthstone subdivision.

METRO PUBLIC WORKS' COMMENTS

The applicant satisfactorily addressed all Public Works comments.

Although not a factor in this amendment, this PUD was conditioned upon significant roadway improvements being completed along Old Hickory Boulevard and into Cloverland Drive. Those improvements have either been completed, are under construction, or have been appropriately bonded.

METRO NASHVILLE PUBLIC SCHOOLS REPORT

Schools (Projected New Students)

10 Elementary 7 Middle 6 High

Schools Over / Under Capacity

Students would attend Granbery Elementary, Croft Middle, and Overton High School. Granbery Elementary and Overton High School have been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated January 16, 2004.



Project No.	<u>Zone Change 2004Z-020U-14</u>
Associated Case	2004P-007U-14
Council Bill	None
Council District	14 – White
School District	4 - Nevill
Requested by	John Harwell, owner
Staff Reviewer	Harris
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Rezone 0.53 acres from residential single-family and duplex (R10) to commercial service (CS) district property at 115 Benson Road.

Existing Zoning
R10 district

R10 requires a minimum 10,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 4.63 dwelling units per acre including 25% duplex lots.

Proposed Zoning
CS district

Commercial Service is intended for a variety of commercial uses, including retail trade, consumer services, financial institutions, general and fast food restaurants, auto repair, auto sales, self-storage, and light manufacturing and small warehouse uses.

SUBAREA 14 PLAN POLICY

Retail Concentration Community (RCC)

RCC policy is intended to accommodate concentrations of community scale retail. Community scale retail includes many forms of retail activity, including most types of retail shops, restaurants, entertainment, and consumer services but at a scale smaller than that of a regional mall.

Residential Low Medium (RLM)

RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Policy Conflict

This property is split between RCC policy along Lebanon Pike and RLM policy closer to the residential area along Benson Road. The proposed zoning district



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is consistent with the Subarea 14 Plan's RCC policy. Staff would typically discourage the commercial encroachment further into this residential area, however, there is an associated PUD plan that will address buffering and access issues.

RECENT REZONINGS

None.

TRAFFIC

Based on the trip generation numbers for commercial service (CS), this proposal is expected to generate approximately 519 to 594 daily trips ranging from new car sales to shopping center uses. (Institute of Transportation Engineers, 6th Edition, 1996). Other uses at different densities could generate more or less traffic.

Public Works Recommendations

Current Zoning

R10, Peak Adj. Street Traffic (Code 210, single family detached housing)

AM trips = 2 PM trips = 3

Proposed Zoning

CS, Peak Adj. Street Traffic (Code 832, High Turnover (sit-down) Restaurant)

AM trips = 129 PM trips = 151

“With the submittal of Final Development Plans and review by the Traffic Engineer, a Traffic Impact Study may be required to determine the additional traffic generated by the proposed level of development and required mitigations.”



Project No.
Project Name
Council Bill
Council District
School District
Associated Case
Requested By

[Planned Unit Development 2004P-007U-14](#)
Benson Road Parking PUD
None
14 – White
4 - Nevill
2004Z-020G-14
Dale & Associates, applicant, John Harwell, owner

Staff Reviewer
Staff Recommendation

Harris
Approve with conditions

APPLICANT REQUEST
Preliminary PUD

Request to adopt a new Preliminary PUD to allow for a parking lot with 67 spaces on 0.53 acres. The property is located north of Old Lebanon Pike, on the east side of Benson Road.

PLAN DETAILS

The proposed plan calls for 67 parking spaces that will be used for the car dealership to the south of this property on parcel 17. The proposed parking lot is private with no public access directly to Benson Road from parcel 18; however, a joint access easement is to be recorded between the two properties. An existing home will be removed and the existing wall is to remain.

Landscaping Buffer Variance Request

The applicant is requesting a variance for the reduction of the minimum landscaping buffer requirement, which is 20' in width (with a mixture of canopy trees, understory trees, and shrubs) to a 10' landscape buffer yard with a 6' wooden fence. According to Section 17.24.060 of the Zoning Ordinance, a 6' wall or permanent opaque fence would also be required since this is a parking lot adjacent to residentially zoned property to the east.

Section 17.24.240 of the Zoning Ordinance states that if a landscape buffer yard exceeds 20% of the total lot area, then the buffer yard may be reduced by fifty percent. Therefore, a variance may not be needed to allow a 10' buffer for this property because it appears the required 20' buffer would exceed 20% of the total lot.



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Staff Recommendation

Staff recommends approval of the PUD with the condition that the applicant provide a buffer yard that exceeds the 10-foot yard required under the Code and a masonry wall. The masonry wall and extra buffer yard will protect the adjacent established residential neighborhood from potential negative impacts of the proposed CS zoning district. If the applicant does not provide the masonry wall and a larger buffer yard than the minimum required by the Code, then a PUD in this location would not provide any more protections to the surrounding neighborhood than what the base zoning already requires.

CONDITIONS

1. Prior to Final PUD approval, a revised preliminary PUD plan shall be submitted showing a masonry wall and a landscape buffer yard that exceeds the required 10' buffer yard.



Project No.	<u>Zone Change 2004Z-040U-14</u>
Associated Case	None
Council Bill	None
Council District	15 – Loring
School District	4 – Nevill
Requested by	Lawrence J. Sacks
Staff Reviewer	Harris
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Rezone 0.80 acres from residential (R8) to office/residential intensive (ORI) district property at 613A and 641A Ermac Drive, east of Briley Parkway.

Existing Zoning
R8 district

R8 requires a minimum 8,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 5.41 dwelling units per acre including 25% duplex lots.

Proposed Zoning
ORI district

Office/Residential Intensive is intended for high intensity office and/or multi-family residential uses with limited retail opportunities.

SUBAREA 14 PLAN POLICY

Office Concentration (OC)

The OC policy is intended for existing and future large concentrations of office development. The predominant uses in OC policy are offices. It is expected that certain types of commercial uses that cater to office workers, such as restaurants, will also locate in these areas. Residential uses of at least RMH density are also an appropriate secondary use.

Policy Conflict

No. The proposed zoning district (ORI) is consistent with the OC policy calling for large concentrations of office and high-density residential development. The ORI zoning district also is consistent with the surrounding zoning districts and uses in the area. This proposal is also surrounded by the Century City office park and commercial and office development along Elm Hill Pike.



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RECENT REZONINGS

Parcel 34 was conditionally approved from RM20 to CL by the Planning Commission on February 26, 2004.

TRAFFIC

Public Works Recommendation

With submittal of Final Development Plans and review by the Traffic Engineer, a Traffic Impact Study may be required to determine the additional traffic generated by the proposed level of development and required mitigations.

Typical Uses in Existing Zoning District: R8

Land Use (ITE Code)	Acres	Units per acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	0.80	4.63	4	54	13	6

Typical Uses in Proposed Zoning District: ORI

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	0.80	0.169	5,889	151	10	9

Change in Traffic Between Typical Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	+97	-3	+3

Maximum Uses in Existing Zoning District: R8

Land Use (ITE Code)	Acres	Units per Acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family Detached (210)	0.80	4.63	4	54	13	6

Maximum Uses in Proposed Zoning District: ORI

Land Use (ITE Code)	Acres	FAR	Total Square Feet	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Walk In Bank (911)	0.80	0.30*	10,454	1,635	43	347

*FAR adjusted to reflect the size of this site and a realistic maximum potential buildout with this use.

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	---	1581	+30	+341



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METRO NASHVILLE PUBLIC SCHOOLS REPORT

School (Projected New Students)

4 Elementary 2 Middle 2 High

Schools Over/Under Capacity

Students would attend McGavock Elementary, Two Rivers Middle School and McGavock High School. None of these schools have been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated January 16, 2004.

*The numbers for ORI zoning are based upon students that would be generated if the ORI zoning were to develop as residential instead of office. This also assumes each multi-family unit has 1,000 sq. ft. of floor area.

Planned School Capital Improvements:

Location	Project	Projected Date
MCGAVOCK CLUSTER	CONSTRUCT A NEW MIDDLE SCHOOL FOR 800 STUDENTS IN THE MCGAVOCK CLUSTER	FY08-09
MCGAVOCK ELEMENTARY SCHOOL - RENOVATE EFACILITY	MCGAVOCK ELEMENTARY SCHOOL - RENOVATE EFACILITY	FY03-04



Project No.	<u>Zone Change 2004Z-041G-12</u>
Associated Case	None
Council Bill	None
Council District	32 – Coleman
School District	2 – Blue
Requested by	Joe McConnell, applicant, Cane Ridge Farms, LLC, owner
Staff Reviewer	Harris
Staff Recommendation	<i>Approve</i>

APPLICANT REQUEST

Rezone 23 acres from agricultural/residential (AR2a) to residential single-family (RS10) district property at Route 1 Cane Ridge Road, northeast of Old Hickory Blvd.

Existing Zoning
AR2a district

Agricultural/residential requires a minimum lot size of 2 acres and intended for uses that generally occur in rural areas, including single-family, two-family, and mobile homes at a density of one dwelling unit per 2 acres. This zoning would allow for approximately 11 dwelling units.

Proposed Zoning
RS10 district

RS10 requires a minimum of 10,000 square foot lot and is intended for single-family dwellings at a density of 3.7 dwelling units per acre. This zoning would allow for approximately 85 dwelling units.

SUBAREA 12 PLAN POLICY

Residential Low Medium (RLM)

RLM policy is intended to accommodate residential development within a density range of two to four dwelling units per acre. The predominant development type is single-family homes, although some townhomes and other forms of attached housing may be appropriate.

Policy Conflict

No. The proposed zoning district (RS10) is consistent with the RLM policy calling for residential development within a density range of two to four dwelling units per acre. The RLM district is also consistent with surrounding zoning districts in the area. The subarea plan states: “A contiguous pattern of development should be encouraged to promote the efficient delivery of public facilities and services”



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(Area 3G, p.47). This portion of the parcel does not have public road frontage, but access should be provided from existing residential developments to the north and south.

RECENT REZONINGS

Part of this same parcel was approved to change from AR2a to RS10 by the Planning Commission in April 2003. The Metro Council approved the change in August 2003.

TRAFFIC

Maximum Uses in Existing Zoning District: AR2a

Land Use (ITE Code)	Acres	Units per acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
Single-Family detached (210)	23	0.5	12	147	18	16

Maximum Uses in Proposed Zoning District: RS10

Land Use (ITE Code)	Acres	Units per acre	Total Number of Units	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
General Office (710)	23	3.7	85	892	70	93

Change in Traffic Between Maximum Uses in Existing and Proposed Zoning District

Land Use (ITE Code)	Acres	--	--	Daily Trips (weekday)	AM Peak Hour	PM Peak Hour
--	--	--	--	+745	+52	+77

The number of trips does not increase significantly; therefore, there will be No Exception Taken due to the number of trips. An access study may be required at submittal of Final Development Plans.

METRO NASHVILLE PUBLIC SCHOOLS REPORT

Schools (Projected New Students)

19 Elementary 14 Middle 11 High

Schools Over/Under Capacity

Students would attend Maxwell Elementary, Antioch Middle School and Antioch High School. All three schools have been identified as being overcrowded by the Metro School Board. This information is based upon data from the school board last updated January 16, 2004.



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Planned School Capital Improvements:

Location	Project	Projected Date
Antioch Cluster	Construct a new middle school for 800 students on a new site in Southeast Davidson County	FY03-04



Project No.
Project Name
Associated Cases
Council District
School District
Requested By

[Subdivision 2004S-074U-14](#)
Pennington Bend Chase
None
15 - Loring
4 - Nevill
Dave Shearon, owner, and Dale & Associates,
Engineer.

Staff Reviewer
Staff Recommendation

Fuller
Staff recommends the applicant defer this item in order to obtain an approval from Public Works, and to revise the plan to provide stub-street connections as required in Condition #4. The applicant has not provided site distance profiles to verify that there is adequate sight distance at the project entrance. If the site-distance profiles are submitted and the connection to the existing stub street is made, staff recommends conditional approval. Otherwise, staff recommends disapproval.

APPLICANT REQUEST
Preliminary Plat

Subdivide 5.6 acres into 14 single-family lots along the east side of Pennington Bend Road.

ZONING
R15 District

R15 district, requiring a minimum lot size of 15,000 square feet and intended for single and two-family dwellings at an overall density of 2.47 dwelling units per acre, or 3.09 units per acre with 25% duplex lots. No duplex lots are proposed.

There was a similar plat approved by the Planning Commission in May of 2000. That approval expired after two years - prior to any site work beginning.

CLUSTER LOT OPTION

The cluster lot option allows the applicant to reduce minimum lot sizes two base zone districts from the base zone classification of R15 (minimum 15,000 sq. ft. lots) to R8 (minimum 8,000 sq. ft. lots).

Pursuant to Section 17.12.080(D) of the Metro Zoning Ordinance, cluster lot subdivisions require a minimum of 15% open space per phase. The applicant complies with this requirement by proposing a total of 1.4 acres (26.9%) of open space, which exceeds the minimum open space acreage required.



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SUBDIVISION DETAILS

Required Stub-Streets

This subdivision proposal is located in an area of Pennington Bend previously developed as large-lot single family homes developed adjacent to the street. The lots range from 1 to 4 acres. This will be the first redevelopment in the area and will set the pattern for future re-development of the large lots.

The applicant has provided a “reservation of right-of way” for a stub street that will eventually connect to Alvinwood Drive and serve as a connection for the Sutherland Hills Subdivision to the east. This connection is important to provide better street connectivity to the area and will, likely, not happen unless this developer is required to construct the stub street, including the off-site connection. Staff recommends this connection be constructed with the development of the Pennington Bend Chase Subdivision.

Additionally, a stub street to the north of this subdivision is necessary for tying in the properties to the north if they are to redevelop. If the stub streets are not required, the only option will be numerous cul-de-sacs off Pennington Bend Road with no connectivity. More connectivity will serve to limit the number of roads and driveways on Pennington Bend Road.

TRAFFIC ENGINEER'S FINDINGS

- 1) “Demonstrate adequate site distance on Pennington Bend Road prior to proceeding with further development at this site. The applicant noted on the plat revision that there is 400+ feet of visibility in both directions. Since Public Works staff has been to the site, they cannot accept this note to be correct without the applicant providing a profile.”
- 2) “If the stub street is required, then it should be constructed and dedicated.”

CONDITIONS

If this plat is approved the following conditions need to be met:

1. If existing vegetation is to be used to satisfy the required landscape buffer yard requirements of the Zoning Code, landscape plans must be reviewed and approved by the Urban Forester prior to grading plan approval.



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2. Prior to final plat approval, lot lines must be shifted to increase the 2 lots that are 7,500 square feet to 8,000 square feet.
3. The existing sewer line running through this property will need to be relocated and abandoned prior to recordation of the final plat.
4. Construct the future connection to Alvinwood Drive and provide a stub street to the north.

[VIEW SKETCH](#)



Project No.	<u>Subdivision 2003S-222U-10</u>
Project Name	Sunnybrook Lane Subdivision
Associated Cases	None
Council District	34 – Williams
School Board District	8 – Harkey
Requested By	Dale and Associates, applicant, Richard Bacon, owner
Staff Reviewer	Harris
Staff Recommendation	<i>Approve with conditions and approval of lot comparability waiver.</i>

APPLICANT REQUEST

Preliminary Plat	Request to subdivide 4 lots on 3.99 acres into 5 single-family lots. The property is located abutting the northeast corner of Sunnybrook Drive and Trimble Road.
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ZONING

R20 district	<u>R20</u> requires a minimum 20,000 square foot lot and is intended for single-family dwellings and duplexes at an overall density of 2.31 dwelling units per acre including 25% duplex lots.
RS20 district	<u>RS20</u> requires a minimum 20,000 square foot lot and is intended for single-family dwellings at a density of 1.85 dwelling units per acre.

SUBDIVISION DETAILS

The plat proposes five lots ranging from approximately 25,000 to 42,000 square feet. Three of the lots front on Sunnybrook Drive with the other two fronting Trimble Road. The plan also shows two existing buildings, which are duplex units, to be removed. This new plan does not propose a cul-de-sac.

History

On October 23, 2003, the Commission disapproved a four-lot subdivision on a cul-de-sac on parcels 97, 98, and 99. The Commission found that the proposed lot layout was not consistent with the Subarea 10 Plan in terms of infill development that was not consistent with the surrounding neighborhood.

Lot Comparability (Sub. Regs. 2-4.7)

The lots fronting Sunnybrook Drive passed comparability on lot frontage and square footage. The lots on Trimble Road passed comparability on lot



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frontage, but not on square footage. The average lot size along Trimble Road is approximately 30,000 square feet and the proposed lot sizes are 24,545 square feet and 25,320 square feet.

Although the lots on Trimble Road do not pass the comparability analysis for lot size, staff recommends approval of a lot comparability waiver because the proposed subdivision is consistent with the Residential Low (RL) land use policy intended for residential densities at or below two dwelling units per acre. The two lots proposed on Trimble Road total 1.14 acres, which is consistent with the policy. The proposed lot layout is also consistent with the Subarea 10 language requiring infill development to be consistent with the existing character of the neighborhood.

Sidewalks

According to Section 2-6.1B of the Subdivision Regulations, sidewalks are not required since the lots are zoned for 20,000 square foot lots and the lots proposed are over that square footage.

PUBLIC WORKS

No exceptions taken.

STORMWATER

The applicant submitted a request for an appeal to the Stormwater Management Board to be relieved from the water quality concept in open space requirement. The variance was granted with conditions by the Stormwater Management Board on March 11, 2004. The appeal case number, 2004-48, would need to be referenced on the plat prior to final plat approval, as well as any additional notes requested as per the appeal letter.

CONDITIONS

1. Prior to final plat approval, a revised preliminary plat must be submitted with the appeal case number noted for the water quality in open space and any additional notes requested as per the appeal letter.

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Project No.
Project Name
Associated Cases
Council District
School District
Requested By

[Subdivision 2004S-073U-10](#)
O.H. Mason Subdivision
None
25 – Shulman
8 - Harkey
David and Carolyn Brandon, owners, Campbell, McRae and Associates, Inc., surveyor

Staff Reviewer
Staff Recommendation

Fuller
Approve with conditions and a sidewalk variance

APPLICANT REQUEST
Final Plat

Create 2 lots from 1 lot, located on Lombardy Avenue, approximately 400 feet east of Hillsboro Place (0.81 acres), classified within the RS10 zoning district.

ZONING
RS10 District

RS10 district, requires a minimum lot size of 10,000 square feet and is intended for single-family dwellings at an overall density of 3.7 dwelling units per acre.

SUBDIVISION DETAILS

The Stormwater Management Committee has granted an appeal to allow the grading permit to be obtained after recordation of this plat and reduced stormwater quality measures to be utilized.

Lot comparability was applied and both lots passed. The minimum area allowed by comparability is 14,625 square feet and the minimum frontage is 88.7 feet. Both lots are in excess of 17,000 square feet and have a frontage of 101.7 feet.

SIDEWALK VARIANCE

The applicant has requested a sidewalk variance to preserve at least 7 specimen quality trees that would be lost by requiring a sidewalk, curb and gutter in this location.

Staff recommends approval of the sidewalk variance. Approve the sidewalk and lot comparability variances. A section of sidewalk approximately 101 feet in length will require major reconstruction of the roadway by construction of a curb and gutter system for a relatively short section of sidewalk in a midblock location, which is inconsistent with good planning and design.

TRAFFIC ENGINEER'S FINDINGS

No exception taken.



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CONDITIONS

1. Lot 1 needs to be labeled as lot 205.
2. The applicant must obtain the approval of the Water and Sewer Department prior to final plat recordation.

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Project No.
Project Name

[Subdivision 2003S-288U-12](#)
Providence Park, Phase 1, Section 2, revision 1

Associated Cases
Council District
School District
Requested By

None
26 – Adkins
7 - Kindall
Nashville Area- Habitat for Humanity, owners,
Anderson-Delk & Associates, surveyor

Staff Reviewer
Staff Recommendation

Fuller
Approve with conditions and a sidewalk variance

APPLICANT REQUEST
Final Plat

Revise 2 lots of a previously recorded subdivision plat to include a sidewalk variance.

The applicant has encountered difficulty in connecting to an existing section of Reisha Drive. Due to topographic changes between the existing development along Donna Kay Drive and the new Providence Park, a retaining wall must be installed. With the installation of the retaining wall on one side, there is not enough area to place a sidewalk on both sides of the new Reisha Drive due to steep topography.

The applicant has proposed to construct a sidewalk on the southern side of Reisha Drive to extend 110 feet off-site to the intersection of Donna Kay Drive. As previously proposed, the sidewalk was located on both sides of Reisha Drive but stopped approximately 110 feet short of Donna Kay Drive. The grass strip will need to be reduced in width in the vicinity of the retaining wall.

Staff recommends approval of the sidewalk variance along approximately 120 feet of Reisha Drive due to severe topography and a lack of space needed to construct a retaining wall on both sides of the street. Staff recommends a condition to construct the sidewalk off-site to Donna Kay Drive to allow for interconnected sidewalk system. The applicant is constructing approximately the same distance of sidewalk and placing it continuously from one intersection to the next.



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PUBLIC WORKS

Approve with conditions listed below.

CONDITIONS

Any work, (i.e. construction of retaining walls) within the existing right-of-way requires a permit from Public Works utility section. New construction plans reflecting the above changes will need to be submitted to Public Works for approval.

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Project No.	<u>Planned Unit Development 71-71-U-13</u>
Project Name	Antioch Commercial Center PUD
Associated Case	None
Council Bill	None
Council District	28 - Alexander
School District	6 - Awipi
Requested By	Marshall I. Karr, Trustee, applicant and part owner.
Staff Reviewer	Mitchell
Staff Recommendation	<i>Approve with conditions</i>

DETAILS OF REQUEST

History

On August 3, 1971, Metro Council approved a preliminary PUD plan to allow for the development of a 19,748-square foot convenience, retail sales, & services center along with a restaurant on the corner of Cummings Park Drive and Richards Road, and a fuel service station on the corner of Antioch Pike and Richards Road. The plan was amended in 1973 to change the restaurant use to a post office. Since then the plan has been revised several times to make minor changes – and most recently to allow for a car wash and retail facility where the post office was located.

To date, the shopping center remains open and fully utilized. The car wash is still operating, but the fuel station has since closed and remained vacant. The owner of the shopping center is requesting that the entire PUD be cancelled. He has duly notified the other property owners within the PUD to inform them of the requested cancellation, as per the Metro Planning Commission rules and procedures.

Proposed Plan

No proposed plan was submitted since the applicant wants to remove the PUD overlay. Based on staff plan review, it does not appear that canceling the PUD would create any non-conformities with the current bulk standards. The car wash facility will be required to relocate some parking spaces that straddle the shopping center/car wash property line, but it appears that the car wash site has the ability to accommodate the relocated parking.

METRO PUBLIC WORKS' COMMENTS

No Exception Taken



Metro Planning Commission Meeting of 3/25/04

CONDITIONS

1. Prior to third reading at Council, the applicant shall submit to the Planning Commission a revised final plat, for the shopping center portion only, which will act to dedicate the agreed-upon "Dedicated Conservation Greenway Public Access Trail Easement Area" along Mill Creek.



Project No.
Project Name
Associated Case
Council Bill
Council District
School Board District
Requested By

Planned Unit Development 98-73-G-02
Hickory Hills Commercial PUD
None
None
3 – Hughes
3 – Garrett
Barge, Waggoner, Sumner, & Cannon, Inc., applicant,
for Corporate Investors Partnership II, owner

Staff Reviewer
Staff Recommendation

Mitchell
Approve with conditions

APPLICANT REQUEST
Revise Preliminary & Final PUD

This request is to revise a portion of the preliminary Planned Unit Development and for final PUD approval for the Hickory Hills Commercial PUD to 1) allow for the expansion of the Prevost bus maintenance facility, and 2) to allow for the development of an MTA distribution center. The entire PUD property is located north of Old Hickory Boulevard, adjacent to I-24.

PLAN DETAILS

There are two plans associated with this request since the request encompasses two different sites within the same PUD. The bus maintenance facility plan proposes the expansion of an existing parking lot. This new lot will accommodate cars as well as new parking for buses. The second plan proposes a new distribution facility for the Metropolitan Transit Authority (MTA). This distribution site faces Westcap Road, which is a small frontage road adjacent to the I-24 entrance ramp from Old Hickory Boulevard.

The Council-approved PUD allows for the development of 16,500 square feet of bus maintenance on the Prevost site, and allows for 59,224 square feet of Office / Distribution on the MTA site. The expansion of the Prevost site by 3,850 square feet does not trigger an amendment to the PUD before Metro Council. The MTA (Office / Distribution) site actually proposes only 23,500 square feet – which is a reduction of 35,724 square feet.

METRO PUBLIC WORKS’
COMMENTS

No exceptions taken



Metro Planning Commission Meeting of 3/25/04

CONDITIONS

1. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
2. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
3. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
4. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.

[VIEW SKETCH](#)



Project No.	<u>Planned Unit Development 126-78-U-14</u>
Project Name	Lakeshore Estates Residential PUD
Associated Case	None
Council Bill	None
Council District	15 – Loring
School Board District	4 – Nevill
Requested By	Dale & Associates, applicant, for Lakeshore Estates, Inc., owner
Staff Reviewer	Mitchell
Staff Recommendation	<i>Approve with conditions</i>

APPLICANT REQUEST
Revise Preliminary

Request for a revision to the preliminary Planned Unit Development to allow for the development of a 48,000-square foot, 58-bed, assisted living facility in phase 2 of the PUD. The property is located along the south side of Fernbrook Lane, approximately one-half mile east of McGavock Pike.

PLAN DETAILS

The plan proposes one new building (48,000 square feet) that will contain a 58-bed assisted living facility. The revision to the PUD is to phase 2 & 3 of the Council-approved plan. The Council-approved plan allows for the development of an assisted living facility, in three phases, for a total of 106,500 square feet and 220 beds. Specifically, phase 2 allowed for 80 beds and 33,500 square feet of floor area. This revision reduces the number of beds by 22 but increases the square footage by 14,500 square feet. Phase 3 has been appropriately revised to account for the phase 2 increases and reductions.

Currently, phase 1 is the only portion of the assisted-living facility that has been completed. This phase provides 50 beds and 40,000 square feet of gross floor area.

METRO PUBLIC WORKS' COMMENTS

No exceptions taken. More detailed comments regarding traffic impacts will be generated at the request for final PUD approval.



Metro Planning Commission Meeting of 3/25/04

CONDITIONS

5. This approval does not include any signs. Business accessory or development signs in commercial or industrial planned unit developments must be approved by the Metropolitan Department of Codes Administration except in specific instances when the Metropolitan Council directs the Metropolitan Planning Commission to approve such signs.
6. The requirements of the Metropolitan Fire Marshal's Office for emergency vehicle access and fire flow water supply during construction must be met before the issuance of any building permits.
7. Authorization for the issuance of permit applications will not be forwarded to the Department of Codes Administration until four (4) additional copies of the approved plans have been submitted to the Metropolitan Planning Commission.
8. These plans as approved by the Planning Commission will be used by the Department of Codes Administration to determine compliance, both in the issuance of permits for construction and field inspection. Significant deviation from these plans will require reapproval by the Planning Commission.



Project No.
Project Name

[Mandatory Referral 2004M-019U-10](#)
Love Circle Alley: Abandon part, accept part and quitclaim part to adjacent owner.

Council Bill
Council District
Requested By

None
18 - Hausser
Metro Public Works

Staff Reviewer
Staff Recommendation

Reed
Approve subject to Metro Legal confirmation that quitclaim is a legal mechanism for Metro to transfer property to a private owner.

APPLICANT REQUEST

Accept an alley for public maintenance, abandon a segment of unbuilt alley, and execute a quitclaim deed for Metro's interest in an adjacent parcel, adjacent to 3429 Love Circle, 275 feet east of Acklen Avenue, requested by Metro Government.

DEPARTMENT AND AGENCY COMMENTS

Love Circle provides public access to the park and other improvements in the vicinity of Love Circle. A portion of the alley was dedicated and constructed, another portion was also dedicated but never constructed. The parcel of property adjacent to Parcel 114 has been maintained for many years by the owners of Parcel 114.

Metro desires to accept and maintain the paved portions of the alley, abandon the un-built section and quitclaim the unused portion of Parcel 141 to the owners of Parcel 114. Staff supports the request to clarify ownership and maintenance requirements.

RECOMMENDATION

The following departments or agencies have reviewed this request and recommended approval: Metro Public Works, Emergency Communications Center, NES, Water Services, and Codes Administration. No other responding departments or agencies take exception.



Project No.
Project Name

[Mandatory Referral 2004M-020G-06](#)
Street rename: Old Harding Pike to Learning Lane

Council Bill
Council District
Requested By

None
35 - Tygard
Metro Public Works

Staff Reviewer
Staff Recommendation

Reed
Approve

APPLICANT REQUEST

Rename a section of Old Harding Pike to “Learning Lane”, and name a section of an unnamed right-of-way “Old Harding Pike.” unnamed R.O.W requested by Metro Public Works.

DEPARTMENT AND AGENCY COMMENTS

In June of 2003, a section of Old Harding Pike that connected to Highway 100 was abandoned by Ordinance #2003-1413. There has also been a realignment of the Old Harding Pike pavement, as part of the new Walgreen’s Planned Unit Development in the area. The section of Old Harding Pike from the connector road to Collins Road now appears to drivers as a separate street from the rest of Old Harding Pike.

The name change and official naming of the connector road will eliminate confusion and assist emergency personnel in locating property in the area. Staff supports the requested renaming because it is important to clear up any discrepancies in street names that could potentially lead to safety problems.

RECOMMENDATION

The following departments or agencies have reviewed this request and recommended approval: Metro Public Works, Emergency Communications Center, NES, Codes Administration, and Water Services. No other responding departments or agencies take exception.